



Docket No.: 65325(70904)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jiro Kiyama et al.

Application No.: 10/575,431

Confirmation No.: 2093

Filed: April 10, 2006

Art Unit: 2621

For: REPRODUCING APPARATUS, METHOD  
FOR CONTROLLING REPRODUCING  
APPARATUS, CONTENT RECORDING  
MEDIUM, DATA STRUCTURE,  
CONTROL PROGRAM, COMPUTER-  
READABLE RECORDING MEDIUM  
STORING CONTROL PROGRAM

Examiner: HARVEY, DAVID E

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references/documents listed on the attached PTO/SB/08a/b. It is respectfully requested that these references/documents be expressly considered during the prosecution of this application, and that these references/documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

I COPIES

- a.   X   Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed. (Applications filed after June 30, 2003, no copies of cited US Patents are required and therefore, are not enclosed).

- b. ☐ This application relies under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. ☐, filed on ☐. The references listed on the attached Form PTO/SB08a/b were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application.

II. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a. ☒ Except as may be indicated below in (b), all of the patents, publications or other information submitted herewith are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. ☒ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

The relationships among the various references cited and provided herewith, are set forth in the following chart:

CITED REFERENCES COUNTRY CODE-NO.-KIND (IF KNOWN)		CORRESPONDING ENGLISH DOCUMENTS Country Code-No.-Kind Code (if known)	
	MM/DD/YYYY		MM/DD/YYYY
JP2003-61055 A previously submitted	02/28/2003	US2002/0186485 AI US2007/0172207 AI	12/12/2002 07/26/2007
JP2003-123389 A	04/25/2003	US2004/0120694 AI	06/24/2004
JP2003-6979 A	01/10/2003	US2004/0213552 AI US2008/0112685 AI US2009/0148123 AI	10/28/2004 05/15/2008 06/11/2009
W002/075739 A	09/26/2002	US2005/0025459 AI	02/03/2005
JP2002-159004 A	05/31/2002	US2002/0164152 AI US2005/0019007 AI US2003/0103604 AI US2007/0286577 AI	11/07/2002 01/27/2005 06/05/2003 12/13/2007
JP2002-158974 A	05/31/2002	US2002/0145702 AI	10/10/2002
JP2002-158972 A	05/31/2002	US2002/0135607 AI US2005/0025461 AI	09/26/2002 02/03/2005
JP2002-158971 A	05/31/2002	US2002/0164152 AI US2005/0019007 AI	11/07/2002 01/27/2005
JP2002-158965 A	05/31/2002	US2003/0103604 AI US2007/0286577 AI	06/05/2003 12/13/2007
JP2002-157859 A	05/31/2002	US2002/0150383 AI US2007/0217296 AI US2007/0217297 AI	10/17/2002 09/20/2007 09/20/2007
JP2002-056651 A	02/22/2002	US2002/0135608 AI	09/26/2002

c.   X   The following additional information is provided for the Examiner's consideration:

The documents cited and provided herewith were cited in a Japanese Office Action mailed on 8 December 2009 by the Japanese Patent Office in an application corresponding to the above-identified application (see Japanese Application Nos. 2009-208580 and 2009-208578 (which are both Divisional applications that correspond to Japanese Application No. 2004-290771 that corresponds to the above-identified application)).

**FEES****III. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)**  
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. ☒ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

**IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):**  
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. §1.17(p).

**OR**

- b. ☒ See the certification below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(d)

The undersigned hereby states that

\_\_\_\_\_ This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Accordingly, Applicant(s) respectfully hereby petition(s) that this Information Disclosure Statement be considered.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby states that

- a.   X   each item of information contained in the IDS (except JP2003-61055 (Item BA) which has been previously cited in this application and is **not enclosed**) was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. \_\_\_\_\_ no item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c. \_\_\_\_\_ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

\_\_\_\_\_ Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

  X   No fee is required.

  X   Applicant believes that additional fees beyond those submitted herewith are not required in connection with the consideration of this submission. However, if for any reason a further fee is required, a fee paid is inadequate or a credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

If the Examiner has any questions concerning this Information Disclosure Statement, he/she is requested to contact the undersigned. Further, if it is determined that this Information Disclosure Statement has been filed under the wrong rule, the United States Patent and Trademark Office is requested to consider this Information Disclosure Statement under the proper rule, with a petition if necessary, and to charge the appropriate fee to Deposit Account No. **04-1105**.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 65325(70904).

Dated: January 14, 2010

Respectfully submitted,

By David A. Tucker  
David A. Tucker

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